



UNITED STATES DEPARTMENT OF COMMERCE  
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/711,961	09/06/96	BRANSTROM ETAL.	

EXAMINER	
J. RAILEY	
ART UNIT	PAPER NUMBER
1805	10

DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) JOHNNY F. RAILEY II (3) DONATA R. SIZEMORE  
(2) ANN S. HOBBS (4)

Date of interview 3 DEC 1997

Type: ☐ Telephonic ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No. If yes, brief description: \_\_\_\_\_

Agreement ☐ was reached with respect to some or all of the claims in question. ☐ was not reached.

Claims discussed: ALL PENDING

Identification of prior art discussed: CURTISS, III ; SIZEMORE (VACCINE 15(3))

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: DISCUSSED

SCOPE OF ENABLEMENT FOR INVENTION. SEE ATTACHED FAX ON TOPICS.  
APPLICANT WILL PROVIDE EVIDENCE AND ARGUMENTS IN SUPPORT OF  
SCOPE OF BACTERIA, HOST CELLS AND GENES RESULTING IN LYSIS OF  
BACTERIA.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

Unless the paragraphs below have been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

☐ Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action.

Examiner's Signature

**Pillsbury Madison & Sutro  
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FACSIMILE TRANSMISSION      Date: December 2, 1997

TO: FIRM: U.S.P.T.O.

ATTN: Examiner J. Railey II, Ph.D.      Your Ref: 08/711,961

LOCATION: Group 1805

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Outline for Examiner interview attached.

**BEST AVAILABLE COPY**

Outline for Discussion at Examiner Interview scheduled for 12/3/97 in U.S. Application No. 08/711,961

1. Provide additional evidence and discuss what further evidence would be needed to expand the scope of coverage to bacteria other than *Shigella*.
2. Discuss what evidence might be needed to expand coverage beyond mammalian cells.
3. Discuss the existing evidence and what further evidence might be needed to expand coverage beyond aspartate  $\beta$ -semialdehyde dehydrogenase.
4. Discuss the following proposed claim:  
  
(46.) A method for delivering DNA capable of being expressed in a mucosal epithelium cell, said method comprising:  
(i) introducing said DNA into an attenuated strain of *Shigella* which is unable to synthesize active aspartate  $\beta$ -semialdehyde dehydrogenase; and  
(ii) administering the *Shigella* of (i) to a mucosal epithelium cell such that the *Shigella*, after uptake by said cell, will lyse, thereby delivering to the cell the DNA capable of being expressed therein.

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